

## **REMARKS**

The Official Action dated June 19, 2002 has been carefully considered. Accordingly, the following remarks are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By the present amendment, claims 27-31 have been added. Support for these claims may be found in the specification at page 7, lines 3-6, page 12, line 24 - page 13, line 2, page 14, lines 19-25 and page 15, lines 14-16. It is believed that these amendments do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested.

Claims 1-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,306,435 to Ishikawa et al. Specifically, the Examiner asserted that Ishikawa teaches a shoe treating composition comprising polymeric soil release agents such as carboxymethylcellulose (CMC), spreading agent such as nonionic surfactants, solubilizing and drying agents, and microbiocides.

However, Applicants submit that the presently claimed compositions are nonobvious over and patentably distinguishable from Ishikawa. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

More particularly, as defined by claim 1, the present pre-treating compositions for shoes comprise a polymeric soil release agent and a spreading agent. The compositions are suitable for pre-treating athletic shoes to facilitate cleaning of the shoes when they become soiled.

In contrast, Ishikawa discloses a treating agent for treating leather, fur and fibrous material to provide dimensional stability. The composition comprises a water-soluble and

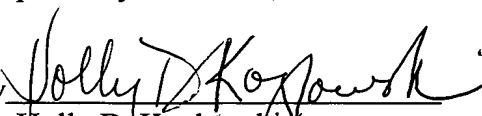
water dispersible polyurethane, and optionally a salt of divalent or tetravalent metal, surfactant and auxiliary ingredients. However, Applicants find no teaching by Ishikawa relating to a composition comprising a polymeric soil release agent and a spreading agent as presently claimed.

In fact, the only reference to carboxymethylcellulose which Applicants find in Ishikawa is at column 4, lines 47-49, wherein "method 2" for producing Ishikawa's polyurethane ingredient is disclosed. Sodium salt of carboxymethylcellulose is mentioned merely as an example of a suitable emulsion stabilizer during this preparation. Applicants find no teaching or suggest as to any soil release property of the sodium salt disclosed therein or that it should or could be used in an amount effective to provide soil release benefit.

In order to render a claimed invention obvious, prior art must enable one skilled in the art to make and use the claimed invention, *Motorola, Inc. v. Interdigital Tech. Corp.*, 43 U.S.P.Q.2d 1481, 1489 (Fed. Cir. 1997). In view of the mere mention by Ishikawa of sodium salt of carboxymethylcellulose, Ishikawa does not enable one of ordinary skill in the art to make or use the presently claimed pre-treating compositions. Thus, Ishikawa does not render the presently claimed pre-treating compositions obvious under 35 U.S.C. § 103. It is therefore submitted that the rejection has been overcome. Reconsideration is respectfully requested.

It is believed that the above represents a complete response to the rejection under 35 U.S.C. § 103, and places the application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,

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